

REMARKS

This paper is responsive to a Species Election Requirement dated November 5, 2007. Claims 1-22 are pending and the Office alleges three patentably-distinct species. The Office's requirement is unsustainable and should be withdrawn. Accordingly, Applicant respectfully traverses.

Provisional Election of Species

In response to the Examiner's species election requirement, Applicant provisionally elects Species 1, defined by the Office as claims 1-8.

Traversal

Applicant respectfully TRAVERSES Examiner's species election requirement. Withdrawal of the requirement is respectfully requested. For species election to be proper, there must be some generic claim such that the alleged species could be said to fall under a claimed genus, but correspond to mutually exclusive embodiments.

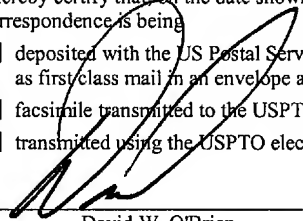
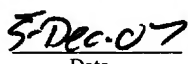
Here, there is no generic claim. Despite the Office's requirement, independent Claims 1, 9, 20 and 22 cannot be viewed as species of some genus. The species election requirement should be withdrawn for at least this reason.

Second, the Office boldly (and without any basis in fact) asserts mutual exclusivity amongst supposed limitations of the alleged species. In this regard, Applicant will NOT acquiesce in the Office' attribution of mutually exclusive scope to Applicant's claims notwithstanding the actual language thereof. Although the independent claims are each of substantially different scope, the Office's assertions of *mutual exclusivity* are made without any actual basis in fact. For example, the Office categorically states that "classification is not employed [in embodiments covered by claims of species 2 but] rather [a] message is processed only based on validity status." Really? In fact, claims of "species 2" do not preclude classification and there is no limitation on use of processing techniques other than validity status. ***Therefore, the Office's requirement is improper on its face.*** With respect to claims of "species 3," no mutually exclusive characteristic is even alleged. ***Therefore, the Office's requirement is unsupported.***

The Office's assertions of mutual exclusivity are manufactured and seek to crassly avoid examination all of the four (4) independent claims and twenty-two (22) total claims Applicant has presented and for which Applicant has paid official fees. *In view of the potentially severe limitations imposed by the Office's "Claims and Continuation Rules" (currently stayed), Applicant cannot acquiesce in this gambit.*

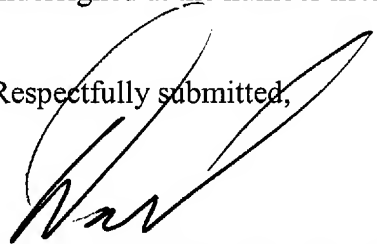
Conclusion

In short, the Office's bases for its election requirement are unsustainable and Applicant respectfully requests that the requirement be withdrawn. Claims 1-22 are in the case. All claims are believed to be allowable over the art of record, and a Notice of Allowance to that effect is respectfully solicited. Nonetheless, if any issues remain that could be more efficiently handled by telephone, the Examiner is requested to call the undersigned at the number listed below.

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Respectfully submitted,


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